

**MARCH 24, 2015**

**CITY OF GUNNISON COUNCIL  
REGULAR SESSION MEETING MINUTES**

**7:00 P.M.**

The City Council Regular Session meeting was called to order at 7:00P.M., by Mayor Pro Tem Ferguson with Councilors Riggs and Steinbeck present along with City Attorney Fogo, City Manager Coleman, Acting City Manager Ampietro, City Clerk Davidson, Finance Director Cowan, Building Inspector Jansen, and Municipal Court Judge McDonald. Mayor Drexel, Councilor Hagan and WSCU Liaison Ballesteros were absent. A Council quorum was present.

**Consideration of Minutes:**

**Regular Session Meeting Minutes of March 10, 2015.**

Councilor Steinbeck moved and Councilor Riggs seconded the motion to approve the Regular Session Meeting minutes of March 10, 2015, as submitted.

Roll call vote, yes: Riggs, Ferguson, Steinbeck. Motion carried.

Roll call vote, no: None.

**Pre-Scheduled Citizens:**

**2014 Municipal Court Report – Judge James McDonald.** Judge McDonald came forward and discussed the following topics with Council: the upgrades to the audio/visual system are complete and the recording system is being utilized by the Court; the Court now has the capability of processing credit card payments right in the Courtroom which streamlines the payment process; the City Attorney is now functioning as the City Prosecuting Attorney at Court sessions, and this too has streamlined the process; and thanks to Court Clerk Melissa McLeod, Deputy City Clerk Tara Kindall and City Clerk Gail Davidson for all of their hard work for Court. They make his job much easier. Council had no questions for Judge McDonald.

**Unfinished Business:**

**Discussion on Mountain Meadows Mall Internal Roads and Parking Lot Issues – City Attorney Kathleen Fogo and City Manager Ken Coleman.** City Manager Coleman explained he has contacted and spoken with the three Mountain Meadows Mall property owners. There is a memo in Council's packets outlining the history and code provisions regarding this property. The pavement is not public infrastructure. The three private property owners seem to be willing to move forward to make the needed improvements, which they would like to have corrected before the upcoming tourist season. The Palisades Restaurant owners have the funds to do their portion which is their parking area and their half of the entry road. They want to combine the work with the other pavement to be reconstructed. City Manager Coleman pointed out the property needs to be structurally evaluated prior to paving to ensure the pavement will last. City Manager Coleman will write a follow-up letter to all of the property owners thanking them for their willingness to work together and correct the situation.

**New Business:**

**Excuse Mayor Drexel and Councilor Hagan from Meeting.** Councilor Steinbeck moved and Councilor Riggs seconded the motion to excuse Mayor Drexel and Councilor Hagan from this evening's meeting due to their absence on personal business.

Roll call vote, yes: Ferguson, Steinbeck, Riggs. Motion carried.

Roll call vote, no: None.

**Set Public Hearing on High Alpine Brewing Company Liquor License.** City Clerk Davidson informed Council an application for a Brew Pub Liquor License has been received from High Alpine Brewing Company LLC. The City Clerk introduced two of the applicants that were present: Jon Brown and Eric Cline. The application has been reviewed by the City Attorney, and is currently under review by the Building Official, Fire Marshal and the Police Chief. If Council accepts the application, which isn't the final approval of the license, then the 30 day time period begins after which the required public hearing can be set and held on the license application. City Clerk Davidson stated she would like Council to set the Public Hearing for the Brew Pub Liquor License for High Alpine Brewing Company LLC, for 7:00 P.M. on Tuesday, April 28, 2015.

Councilor Riggs moved and Councilor Steinbeck seconded the motion to set the Public Hearing for the new Brew Pub Liquor License application for 7:00 P.M., Tuesday, April 28, 2015, in the Council Chambers of City Hall, 201 W. Virginia Avenue in Gunnison.

Roll call vote, yes: Steinbeck, Riggs, Ferguson. Motion carried.

Roll call vote, no: None.

**License Agreement Application from High Alpine Brewing Company to Construct Deck Over City Sidewalk at 111 N. Main Street – Discussion Only.** Building Official Eric Jansen came forward and addressed Council. Action on the License Agreement application is scheduled to take place at the Regular Session meeting on April 14, 2015. Building Official Jansen stated the applicants are wanting to construct a deck over the City sidewalk and it will be similar to the deck at the Boomerang on North Main Street. It will be more substantial than the existing awning structure. The deck will be utilized from the second story of the building and will extend 12 feet out from the building front. That will leave 3 feet to the curb. The Community Development Department staff supports the proposal and sees the deck as a vibrant public space addition to the downtown. The applicants must secure insurance and list the City as co-insured. City Attorney Fogo asked that the indemnity insurance in paragraph four be increased to the State-required levels. Mayor Pro Tem Ferguson asked City staff to look at the crown of Main Street and the potential for big RVs or vehicles to lean into the deck. City Manager Coleman stated the steep crown was removed in the last paving project but Staff will examine the slope conditions. Mayor Pro Tem Ferguson also expressed the possibility of day-time noise being a nuisance to other downtown businesses. This would be similar to the outside deck at the Eldo in Crested Butte. Mr. Brown stated they want the business to be a family-type atmosphere.

**Action to Approve 2015 Funding for Park and Recreation Pool Chemical System and Energy Monitoring System.** This item was discussed at last week's Council Work Session meeting. There were no changes to the proposed purchases.

Councilor Riggs moved and Councilor Steinbeck seconded the motion to approve the expenditure of funds not to exceed \$10,600 from the Community Center/Pool Reserve Fund for the purchase of a BECSys5 Strantrol System, and for funds not to exceed \$10,500 from the Parks and Recreation Other Improvements Fund for the purchase of an energy monitoring system for the aquatics facility solar heating system.

Roll call vote, yes: Riggs, Ferguson, Steinbeck. Motion carried.

Roll call vote, no: None.

**Letter of Support for Gunnison Water Basin Implementation Plan.** This letter was discussed by Council at the Regular Session meeting on March 10, 2015. City Manager Coleman stated if Council approves the letter it will be sent to Michelle Pierce, Chair of the Gunnison Basin Water Roundtable, for inclusion in the Basin Implementation Plan to be sent to the State. Councilor Riggs stated that the letter really doesn't seem to be impactful. City Manager Coleman stated the letter was read and approved by District Water Manager Frank Kugel.

Councilor Steinbeck moved and Councilor Riggs seconded the motion to approve the Letter of Support for the Gunnison Water Basin Implementation Plan and for all of Council to sign said letter.

Roll call vote, yes: Ferguson, Steinbeck, Riggs Motion carried.

Roll call vote, no: None.

#### **Ordinance and Resolutions:**

**Resolution No. 5, Series 2015; Re: Authorizing the Return of Retired Volunteer Firefighters to Active Duty.** Councilor Steinbeck introduced Resolution No. 5, Series 2015, and it was read by title only by Councilor Steinbeck.

Councilor Steinbeck moved and Councilor Riggs seconded the motion that Resolution No. 5, Series 2015, **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, AUTHORIZING THE RETURN OF RETIRED VOLUNTEER FIREFIGHTERS TO ACTIVE DUTY**, be introduced, read, passed and adopted this 24<sup>th</sup> day of March, 2015.

Roll call vote, yes: Steinbeck, Riggs, Ferguson. Motion carried.

Roll call vote, no: None.

Councilor Steinbeck stated that the volunteers do such a tremendous job for the community. She suggested more marketing be done to attract younger volunteers to the Department. The shortage of volunteers will be an on-going problem in the future. City Manager Coleman stated he would discuss the issue with the Fire Chief.

**Resolution No. 6, Series 2015; Re: Referring Three Ballot Questions to the May 12, 2015, Regular Municipal Election Ballot.** Councilor Riggs introduced Resolution No. 6, Series 2015, and it was read by title only by Councilor Riggs.

Councilor Riggs moved and Councilor Steinbeck seconded the motion that Resolution No. 6, Series 2015, **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, REFERRING THREE BALLOT QUESTIONS TO AMEND SECTIONS OF THE GUNNISON MUNICIPAL HOME RULE CHARTER TO THE QUALIFIED ELECTORS OF THE CITY OF GUNNISON AT THE CITY OF GUNNISON REGULAR MUNICIPAL ELECTION TO BE HELD MAY 12, 2015**, be introduced, passed and adopted this 24th day of March, 2015.

Roll call vote, yes: Riggs, Ferguson, Steinbeck. Motion carried.

Roll call vote, no: None.

Councilor Riggs stated she did not disagree with the Resolution but would like to see the full resolution at a Work Session prior to the Regular Session. City Manager Coleman stated that procedure would be followed.

**Ordinance No. 1, Series 2015; Amending Section 5.40.050 of the Gunnison Municipal Code Regarding Restraint and Control of Dangerous and Vicious Animals, 1<sup>st</sup> Reading.** Councilor Steinbeck introduced Ordinance No. 1, Series 2015, and it was read by title only by Councilor Steinbeck.

Councilor Steinbeck moved and Councilor Riggs seconded the motion that Ordinance No. 1, Series 2015, **AN ORDINANCE AMENDING TITLE 5. GENERAL OFFENSES, CHAPTER 5.40 ANIMALS, SECTION 5.40.050, ANIMAL CONTROL AND RESTRAINT OF THE GUNNISON MUNICIPAL CODE RELATING TO DANGEROUS DOGS AND VICIOUS ANIMALS**, be introduced, read, passed and ordered published on first reading this 24<sup>th</sup> day of March, 2015.

Roll call vote, yes: Ferguson, Steinbeck, Riggs. Motion carried.

Roll call vote, no: None.

**Ordinance No. 2, Series 2015; Re: Amending Section 5.10.080 Regarding Disorderly Conduct and 5.10.210 Regarding Theft of Rental Property, of the Gunnison Municipal Code, 1<sup>st</sup> Reading.** Councilor Riggs introduced Ordinance No. 2, Series 2015, and it was read by title only by Councilor Riggs.

Councilor Riggs moved and Councilor Steinbeck seconded the motion that Ordinance No. 2, Series 2015, **AN ORDINANCE REPEALING TITLE 5 CHAPTER 5.10 GENERAL OFFENSES, SECTION 5.10.080 DISORDERLY CONDUCT, C., and SECTION 5.10.200, THEFT OF RENTAL PROPERTY, OF THE GUNNISON MUNICIPAL CODE**, be introduced, read, passed and ordered published on first reading this 24<sup>th</sup> day of March, 2015.

Roll call vote, yes: Steinbeck, Riggs, Ferguson. Motion carried.

Roll call vote, no: None.

**City Attorney Kathleen Fogo:** City Attorney Fogo had no report.

**City Manager: Ken Coleman** reported on the following: the new street sweeper will arrive on Thursday, and then two sweepers will be running; the streets crew is doing pothole patching with cold asphalt mix; thanks to all of Council for attending the Planning & Zoning Commission meeting for the marijuana regulations discussion; staff is working on the draft marijuana regulations; the public input meeting with the Council is scheduled for April 7th; and the City should have the regulations in place before July. He has talked with Tim DeLong and the garden hoop houses may be going up on the farm project property this week, and Mr. DeLong has paid the damage deposit for the project. Lastly, he and Finance Director Cowan attended the Airport Master Plan meeting today and Staff will be working on comments to the plan.

**Acting City Manager: Parks & Recreation Director Dan Ampietro** informed Council his semi-annual report was included in their packets. Director Ampietro discussed the following topics: they continue to have building issues including leaks from the freeze-thaw of ice on the roof; the HVAC system seems to be working properly now; the ice rink is closed for the season; the GCSAPP group held an event for students there last night; the economic impact report for the

rink this season will be calculated now that the rink is closed; Cranor Hill had a 32 day season, and \$19,500 was the season expenditures but only \$9,500 in revenues was generated; he met with representatives of WSCU and discussed partnerships between the City and the University at Cranor Hill; he had a good crew at Cranor this year; WSCU students built a temporary jib park at Cranor in February; and the Aquatics Facility isn't going to receive the Gunnison Energy donation for swim lessons this year, but the department has applied for a Ride the Rockies grant to fund those summer swim lessons. Mayor Pro Tem Ferguson stated Cranor Hill will never be a profit center but it is a valuable amenity for the community. He thanked Director Ampietro and his crew for making this asset work. City Manager Coleman stated Director Ampietro and his crew are prioritizing all of the summer projects that will be done. Dan's leadership and historic knowledge is really valuable to the success of his department and crew. Both the Parks and the Recreation staff are hardworking and dedicated, and it shows.

**City Clerk: Gail Davidson** informed Council City Council candidate petition packets are still available and can be picked up in her office.

**WSCU Liaison: Stefano Ballesteros** was absent.

**Non-Scheduled Citizens:** None.

**City Council Discussion, Meeting Reports, Items for Work Session:**

**Councilor Steinbeck:** reported she was pleased with the turnout and information at the Planning & Zoning Commission meeting on marijuana regulations. Mayor Pro Tem Ferguson stated it was typical that Gunnison people were civil and courteous at the marijuana issues meeting. Councilor Steinbeck then stated she will be attending a Gunnison Valley Regional Housing Authority meeting next week.

**Councilor Riggs:** reported she thought the marijuana public comment meeting was fantastic. She is looking forward to the Council meeting on April 7th. It was good to see people who are interested in opening a business in Gunnison are in on the process from the beginning. She has been talking with businesses owners at the Mountain Meadows Mall and they would like to see the solution to the pavement problems happen sooner rather than later. Councilor Riggs thanked the City Manager for meeting with her today to discuss the Mountain Meadows Mall pavement issues. Councilor Riggs then stated the RTA transit services subcommittee received 4 responses to the ground transportation RFP.

**Mayor Pro Tem Ferguson:** stated he had nothing further to report.

**Adjournment:** Mayor Pro Tem Ferguson called for any further discussion, and hearing none, adjourned the meeting at 8:18 P.M.

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Mayor Pro Tem

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City Clerk